

# PROSECUTOR

Publication of the Maricopa County Attorney's Office

Volume 5 Number 2

## Inter Alia

### Family Violence Protocol Works

By RICK ROMLEY, County Attorney



THE VICTIM arrived at the Maryvale Hospital Emergency Room, her face swollen, eyes blacked and wrists bruised claiming she was mugged at a bus stop. Despite the claim of mugging, her injuries raised suspicion with the emergency room staff. Following the Maricopa County Domestic Violence Protocol, which provides guidelines for appropriate intervention in family violence cases, they called the police. Noticeably afraid, the victim stuck by her story until a victim specialist and an investigator convinced her to tell the truth. The cause of her battering was domestic abuse and her husband was the culprit. Officers took pictures to document the bruising and tape recorded her statements at the emergency room. Police arrested her husband, Lance Reinking, who at that time was awaiting trial for assaulting her six months earlier.

On January 7, 1999, Lance Reinking was sentenced to 5.75 years in prison after a jury found the 25-year-old guilty of aggravated assault and unlawful imprisonment.

Last year alone, law enforcement agencies in Maricopa County submitted 3,392 felony and misdemeanor domestic violence cases to our office. Domestic violence differs from other crimes due to the intimate relationship between the victim and the accused. Family violence is more than a single assault. It involves a variety of tactics, including emotional and physical abuse, to control and maintain power over the victim.

This pattern, based on a study by Lenore Walker, is described as the cycle of violence.

The cycle of violence has three separate components: tension building, acute battering incident and the honeymoon stage. Often, it is during the honeymoon phase the victim is contacted and asked to assist with prosecution. The victim wants this phase to continue and is therefore reluctant to aid in prosecution.

To assist in breaking this cycle of violence, our office initiated the design of a comprehensive family violence intervention plan. After two years, the Domestic Violence Protocol promoting a coordinated response to family violence was adopted.

The Maricopa County Family Violence Protocol provides guidelines for law enforcement, prosecutors, medical examiners, victim service providers, offender intervention providers and the judiciary to effectively intervene in cases involving family violence.

The protocol emphasizes victimless prosecution, which allows attorneys to use witness testimony, tape-recorded interviews and photographic evidence in lieu of a victim's testimony, thereby lessening the burden on victims.

The Maricopa County Family Violence Protocol enhances our ability to break the cycle of family violence. I believe that these efforts will promote healthy families and a long-term reduction in violent crime.



Fastest pen in the West Governor Jane Hull hands one of the pens used to sign the anti-slum legislation into law to Councilman Phil Gordon. County Attorney Rick Romley clutches his pen as he applauds the legislation.

## Slumlord Task Force applauds legislation

Neighborhood leaders and Slumlord Task Force members crowded the small stage as Governor Jane Hull signed the tough anti-slum legislation into law.

The 19-member Slumlord Task Force, appointed by County Attorney Rick Romley and Phoenix City Council Member Phil Gordon, drafted anti-slum legislation and met their original goal to create laws that remove blight from neighborhoods.

It was a lot of work, but I have a great sense of accomplishment. I was happy the bill got through in the form it did, Deputy County Attorney and Task Force Chairperson Jana Sorensen said.

**The legislation has four major provisions:**

Arizona rental property owners must provide their names, addresses and telephone numbers to the County Assessor's Office.

The city, county or state can appoint a temporary

property manager if the landlord refuses to take the necessary steps to repair the substandard property.

The state can close the property when health and safety concerns exist.

Property owners can no longer sell properties to evade fixing violations. Under the new legislation, property owners who purchase a property in disrepair, must fix the violations or risk prosecution.

The legislation contains provisions holding the original property owner liable, thereby closing a previous loophole.

This was a partnership between government and neighborhoods. What made the biggest difference were the neighborhood activists. They truly made their voices heard, said Romley.

### Slumlord Task Force Members Include:

**Maricopa County Attorney's Office:** Rick Romley, Barnett Lotstein, Jana Sorensen, James Novak, Leslie LeMense and DiDi Ratliff

**Phoenix City Council:** Phil Gordon and Leigh Richards Fry

**Phoenix Neighborhood Services:** Sandy Treese

**Phoenix Police Department:** Kim Humphrey, Dan Elting and T.J. Martin

**Phoenix City Prosecutor:** Aaron Carreon-Ainsa and Mary Stoner

**County Environmental Health:** Gene Bond and Daenon Brewer

**U.S. Attorney's Office:** Daniel Drake

**HUD:** George Black and Karen Barnette

# ASCIA fills the need

By NICOLE MANGER, Public Information Coordinator

The jurors explained to the audience of investigators that the defense witness lack of credibility, coupled with the evidence, convinced them to convict the defendant, even though the victims in the case had difficulty identifying the defendant in the photo line-up.

The panel of 11 jurors in *State v. Stiles* were recruited to participate in a training seminar for investigators who work on sex crime cases. This rare learning opportunity was provided by the

Arizona Sex Crimes Investigators Association, a group spearheaded eight years ago by Cindi Nannetti, Chief of MCAO's Sex Crimes Bureau.

Before 1991, sex crimes training seminars for law enforcement personnel were primarily out-of-state.

The need was out there. We felt that we could tap into some of our resources here, Nannetti said. It started out as a small group. We would move it around so precincts with limited resources could attend.

Eight years and 400 members later the seminars are more valuable than ever in an era of DNA evidence, expanding sex crimes units and sex offender registration laws.

We find that an officer stays in a sex crimes unit for three to five years before transferring into a new area, said Kris Hatfield, legal secretary supervisor of the Sex Crimes Bureau.

Setting up the bimonthly seminar is a team effort. Once the subject has been determined,



Lisa Roberts, Deputy County Attorney on the *State v. Stiles* case, explains how she presented evidence tying both home invasions to the defendant. Stiles was found guilty by a jury of 22 counts of sexual assault, kidnaping and aggravated assault.

Nannetti makes arrangements for speakers and the room. Hatfield maintains a database with the names of people who are to be sent information about the seminars.

The seminars are free and open to anyone in the Sex Crimes field. In fact many of the classes are AzPOST certified, a bonus for police officers who are required to complete training hours.

For the last five years the ASCIA seminars have drawn audi-

ences of 90 to 180 participants. Topics have included DNA evidence, the use of a polygraph test, legislative update, sex abuse, alleging abuse and popular trial practices to name a few.

These are unique training opportunities. We use jurors, prosecutors, defense attorneys, case agents, and therapists. We even had a panel of 6 to 10 sex offenders. Officers were able to ask them, How did you feel before you committed the crime? This gave investigators insight into the offenders thinking, which could help in other cases, Nannetti said.

Paula Anderson, trial consultant, who spoke during the January seminar on witness credibility, likened Nannetti's successful seminar to her success in the courtroom.

Belief is one of Cindi's most effective tools. This woman is a walking, talking, poster child for children she oozes that to the jury, said Anderson.

## Arrest of Foreign Nationals

In a recent decision, *United States v. Lombera-Camorlinga*, (1999 WL 160848, March 25, 1999), the Ninth Circuit Court of Appeals held that a violation of the Vienna Convention on Consular Relations may result in suppression of statements or dismissal of charges against a foreign national. In the Vienna Convention, the treaty mandates that an arrested foreign national be notified of the right to contact the proper foreign consulate.

Lombera-Camorlinga was arrested for importation of marijuana and possession of marijuana with the intent to distribute. Customs agents, prior to questioning, advised Lombera-Camorlinga of his Miranda rights, but not the right to have the Mexican consulate notified. The Court of Appeals held that statements made by a person may be suppressed if the defendant can show prejudice as a result of law enforcement's failure to advise the detained person of the provisions of Article 36(b)(1) of the Vienna Convention.

This decision may have an immediate impact on criminal prosecutions. The Appeals Bureau of the Maricopa County Attorneys Office will respond to any motions filed alleging violations of the Vienna Convention.

## Lend a Hammering Hand

*Legal Community Builds promotes the spirit of the law*

By ELIZABETH SUKENIC, Community Relations Director



Lawyers can spread it pretty thick cement that is.

The Maricopa County Attorneys Office is seeking individuals to help pound nails, paint dry wall, etc. Volunteers from law enforcement agencies, courts, law firms, legal service companies and organizations have partnered with Habitat for Humanity to form the Legal Community Builds. Together, they will work to construct a home for a deserving family.

The Office has partnered with the Asian Lawyers group on May 8, 1999 to help in constructing a home at South Ranch, a planned, affordable housing community. Making this home a dream come true will take the help of our entire legal community. Anyone, regardless of construction experience or skill level, is welcome.

- Date:** May 8, 1999 and subsequent Saturdays
- Location:** 1432 E. Catherine Ave. South Ranch Sub-Development 5.5 miles southeast of downtown between Southern and Baseline, west of 16th Street.
- Time:** 7 a.m. to 3 p.m.

Please wear protective clothing and sunscreen. Lunch will be provided.



Doug Macfarlane, Training and Development Division Chief, settles into his new position and new office.

## Training and Development under new leadership

By NICOLE MANGER, Public Information Coordinator



The new Training and Development Division Chief promises that Maricopa County Attorneys Office employees will be all that they can be.

Doug Macfarlane joins MCAO after a 26-year army career. Retiring as a colonel, he then spent several years as an executive in the private sector, and most recently as CEO of his own company.

In the Army, Macfarlane was involved in infantry training at every level, including Instructor for the Army Airborne School, Pathfinder School, Ranger School and Service College. He entered the private business world as Director of Training and Development for a local company, with primary responsibility for programs to enhance productivity and develop leadership skills. When that company merged with a larger organization, Macfarlane started his own business, *Creative Performance Systems*, supplying training products and services to government agencies. This business continues to be a success under the direction of Macfarlane's wife and a partner.

Now, he plans to map new territory literally.

The first navigational tool Macfarlane will use to chart employee training is the rainbow board. Currently under construction, the rainbow board, similar to a bulletin board, will plot each training program for an entire year.

By designating brown bags in brown, orientation in orange and attorney training in blue, we can notify our speakers and trainers months in advance, Macfarlane said.

With the rainbow board eliminating scheduling problems, Macfarlane said he would focus on achieving his goals for the division.

Training and Development divisions should develop an employee's skills, but more importantly make the worker more productive at work without impinging on family time, he said.

Macfarlane rattled-off the following four goals:

- to provide basic skills for new employees,
- to equip veteran employees with the skills required to perform more effectively,
- to prepare people to move into jobs with greater scope and responsibility and
- to supply quality training for supervisors to effectively lead their organizations.

The division will meet these goals by asking employees to put their goals in writing. Macfarlane said mapping career paths is one way employees can focus their goals within the Maricopa County Attorneys Office.

A career map allows you to move in any direction you choose, Macfarlane said. Knowing the path even if it is a lateral move to a job that is more interesting allows employees to choose training to benefit their career.

Another opportunity Macfarlane would like the Training and Development Division to provide is more comprehensive training for support staff and legal assistants, similar to the six-week training required for new attorneys. He plans to package a list of courses and skills compatible to specific jobs as a way of encouraging employees to obtain the knowledge required for their job before striving to take on a greater scope of responsibilities.

Macfarlane's staff share his enthusiasm for nurturing the division out of infancy.

Doug brings a lot of energy to Training, said Nicole Cochran, administrative assistant in the Training and Development Division. He came in and got right to work.

# Facilities team moves into the future

By NICOLE MANGER, Public Information Coordinator

Approximately 100 employees spent the first week of May unpacking boxes after moving between floors in the County Administration Building.

Add this to the list of 146 employees who packed file boxes and cleaned out desk drawers during the February move to the

20th floor on Feb. 12. By closing time on Feb. 13, two semi-trucks had carried more than 1,500 boxes to the new location.

Phase two involved moving Appeals, Pretrial, and Training and Development to the 21st floor. The move took two full days, 26 movers and five moving vans.

calls to brief him on developments. Despite Zeemans being dubbed the turtle because his back was encased in a brace and he walked slow, the moves were accomplished ahead of schedule.

While Wells Fargo employees unpacked their file boxes, 20 Southeast Facility employees moved into a new expansion wing off the court library. Zeeman drafted the architectural designs for the add-on, borrowing space from the court's law library.

The building (SEF build-out) is now the countys standard design, Guthrie said. This is a great accomplishment.

Zeeman and Guthrie oversee 250,000 square feet of Maricopa County property. As the Maricopa County courts and jail expand, the County Attorneys Office must continue to look for additional space. The facilities team refers to it as 20/20 vision, asking the question, where will the county be in the year 2020?

Both Guthrie and Zeeman said that the most stressful aspect of managing the three moves was in continuing to provide those people who were not moving with the service they expect. The facilities team maintained all their original responsibilities like conducting ergonomic evaluations and managing the parking garage.

We have our fingers in a lot of pies, Zeeman said.

Its really nice when people stop and tell us that we do great work, Guthrie said. Though, I never hear people telling me boy, I want your job.



Queen Annette Donaldson, TDD, carts over her final load from the Count Administration Building basement to the 21st floor of the Wells Fargo Building.



Facilities Manager Jerry Zeeman and Assistant Facilities Coordinator Donna Guthrie with Jerry's turtle mascot.

Wells Fargo Building and another 20 who filled the brand new SEF expansion wing. The entire spring moving project was a massive exercise in coordination for the facilities management team.

Facilities Manager Jerry Zeeman and Assistant Facilities Coordinator Donna Guthrie said that the most difficult part about coordinating the moves was taking everybodys concerns to heart and trying to satisfy their needs.

The team conducted the move to the Wells Fargo skyscraper, located at 100 W. Washington, in two phases. The first phase brought the Check Enforcement and Preliminary Hearing Bureaus from the Camelback Road location to the

According to Rick Nothwehr, Pretrial Division Chief, necessity was behind the moves. As the number of employees increased, divisions were separated on different floors and at satellite facilities. Space in the Wells Fargo Building was leased to consolidate these fractured divisions, and the newly created Training and Development Division acquired lecture rooms and facilities to train new employees.

Zeeman coordinated the move despite being hospitalized. I spent three weeks out of the office and was in a back brace up until a week before the first move, Zeeman said.

Guthrie came to the hospital, notebook in hand, to plan the moves. She even made house

## Movin on up...



Nicole Cochran, TDD and Lisa Sandquist, Prelim, are all smiles as they help Jan Jennings move her files.



Bill Clayton, TDD, takes a break from rearranging his office.

# Giving back: Investigator rises to the occasion



By HEATHER MCLELLAN, Investigations

*I design this column to put the spotlight on those folks in our office who lend a personal hand to the greater Maricopa County community and beyond. Social justice, humanitarianism, volunteerism, community involvement however one defines trying to make a difference in society in some way. Recognizing the wealth of good health, adequate shelter, loving family and traveling is an experience I have enjoyed all my life; opportunities denied many in our society. I feel it's our responsibility to give back, contribute in some way, to those folks in the community less fortunate than myself.*

While I am sure many MCAO employees are involved in social issues outside of work, Investigator Joe Wolfer continues to rescue dashed dreams. For instance a phone conversation in December with my friend from Phoenix Revitalization tuned me to the fact that

there would be a number of families without Christmas joy: no food, toys or gifts for their children. Employees of a local company had abandoned their holiday commitment to provide for these families. I called Joe Wolfer about the critical situation, putting him in touch with Phoenix Revitalization. Previously, Joe and I had a philosophical conversation about societal ills and his personal dealings with some of them during his 27 years with the Phoenix Police Department. Joe expressed an interest in personally helping these families in need. He not only talked, he acted.

Joe sponsored one of the families himself and collected donations within the County Attorneys Investigation Division for the other families. As a result of Joes



Joe Wolfer, MCAO Investigator

personal caring, these families awoke on Christmas morning with smiles instead of tears, healthy food instead of empty bellies and childrens laughter instead of cries of disappointment.

Joes basic philosophy is the best helping hand is the one at the end of your sleeve. His compassionate zest for life gives a gentle lift to those who need an extended hand.

For 14 years, Joe had been involved with the Special Olympics. This year he is coordinating the Law Enforcement Torch Run (whose proceeds benefit the special Olympics Olympic games) for the Investigation Division by selling tee-shirts and running in the race. Joe is an arm twister with a cause. He readily admits that if he cannot get you

one way he will find another way for you to contribute to his passions. The Special Olympics is definitely one of his passions.

As a former Phoenix Police Officer, Joe had the opportunity to connect with many organizations and influential people. Over the years, Joe linked people and organization to situations that were formerly unfamiliar. He successfully solicited the Builders Association when an inner city girls basketball team needed sneakers. Rather than asking for the money to buy the sneakers, he arranged for the teens to stuff and deliver flyers, a task the association desperately needed. The girls worked for their sneakers, thereby learning the value of work and reward. The Builders Association continued a relationship with the basketball team, providing additional financial assistance and encouragement. Joe is a bridge builder between the needy and the fortunate. He continues to pave the way for many.

*If you or a fellow co-worker is involved in community work, please contact Heather McLellan.*



# MCAO sets \$5000 goal for Torch Run

By ELIZABETH SUKENIC, Community Relations Director

Each year, law enforcement agencies from around the state participate in the Special Olympics Law Enforcement Torch Run to raise proceeds for Arizona Special Olympics. The Maricopa County Attorney's Office is proud to be involved in this year's Law Enforcement Torch Run. This marks our third year of involvement in this event.

Special Olympics is a nonprofit organization which provides sports training and competition for mentally challenged children and adults. Fund raising is the lifeblood of Arizona Special Olympics and the Law Enforcement Torch Run is the largest fund raising event for the organization.

Employees wishing to participate in the event may run, walk, bike or roller blade in MCAO's section of the leg. A representative from the Phoenix Police Department will hand off the torch to our office at Central Avenue and Jefferson Street at approximately 2:00 p.m. and we will run the torch to the Central City Precinct on the southwest



**Back Row:** Glen Hammond, Trials, Group D; Elizabeth Ortiz, Juvenile; Tony Novitsky, Southeast Division; Bobby Acosta, County Counsel; Joe Wolfer, Investigations.  
**Middle Row:** Jana Ruth, Training and Development; Reggie Otlowski, Executive; Lisa Sandquist, Legal Assistant; Jenifer Fuchtmann, Victim Witness.  
**Front:** Isabel Maldonado, ITD; Latrina Rosemond, Administration; Elizabeth Sukenic, Executive.

corner of 16th Street and Jefferson Street (East Lake Park). Run assignments are flexible and you may start and end your leg at any of the loca-

tions. Shuttle vehicles will also escort runners and provide drinks.

The purpose of this run is to raise funds for Special Olympics and partici-

pants are encouraged to collect pledges. You do not have to run to support the Arizona Special Olympics Law Enforcement Torch Run. Instead, you can purchase merchandise; make a contribution or pledge. On May 14, 1999 to demonstrate your support of MCAO efforts in this event, you may participate in an MCAO Casual Day.

Each Division of MCAO has a coordinator to help you with the purchase of merchandise or to schedule your participation in the run. Please see your Division Coordinator for more information.

A big thank you to the generous MCAO employees for supporting this worthy cause. It is because of you that Arizona Special Olympics continues to make a difference in our community. Help us reach our goal of \$5,000. ***Make your donation today!***



## Victims' Voices: Silent No More

*During National Crime Victim Rights' Week, the Victim Witness Division recognized the following attorneys for their outstanding efforts in working with crime victims:*

David Ronald	Juvenile Division
John Boyle	Major Crimes Division
Karl Mueller	Southeast Division
Robin Adelman	Pretrial Division
Jason Kalish	Criminal Trial Division

*Thank you for easing the trauma associated with participation in the Criminal and Juvenile Justice System.*



## Runner Up!



**MCAO Softball Team wins 2nd place at the County picnic**

**Top Row:** Jessie Davis, Jennifer Jonovich, Bryan Jonovich, Jared Ellison, Jay Ellison, Jayson Jonovich, Darrin Jonovich.  
**Bottom Row:** Vanessa Davis, Cecelia Merrill, Norma Medina, Denice Barton, Dominique Casillas.

# Grime Fightin' and Dust Bustin'



Elizabeth Todd, Trial Bureau A, makes it shine with 409.



Linda Baker, Gang ROP, cleans up with the big guy.



Dirt beware Nancy Suggs, Exec, feather dusts the 8th floor reception area.



Fernando Dominguez, Exec, dons rubber gloves and covers his nose as he cleans the admin/exec refrigerator.